IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 25TH SEPTEMBER 2007 / 3RD ASWINA 1929

WP(C).No. 26951 of 2007(H)

PETITIONER:

VIJAYAN, S/O.PONNAN,
KANNAMKULAMB LAKSHAM VEEDU,
(PO) NENMINI, (VIA) KOLLENGODE, PALAKKAD DISTRICT.

BY ADV. SRI.P.V.BABY
SRI.A.N.SANTHOSH

RESPONDENT:

THE COMMISSIONER FOR WORKMEN'S
COMPENSATION, DEPUTY LABOUR COMMISSIONER,
THRISSUR.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) NO. 26951 OF 2007

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Dated this the 25th day of September, 2007

J U D G M E N T

The prayer of the writ petitioner is for release of the amount deposited by the Insurance Company, in pursuance to Ext.P1 order of the Commissioner for Workmen's Compensation. Petitioner has produced as Ext.P2, an application dated 30/7/07 and it is submitted that despite this, amount was not deposited.

2. On instructions, learned Government Pleader today submits that on the date when Ext.P2 was made amount was not in deposit and that the award amount without interest was deposited only on 14/8/07. If that be the factual position, the authorities cannot be faulted for not releasing the amount, when application was made on 30/7/07. In view of the deposit now made, it is for the petitioner to make an application for its release, in which event, the authority concerned will consider and pass orders thereon.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp